

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DALE ARNOLD,

Petitioner

v.

FREDERICK FRANK,
BRADFORD COUNTY DISTRICT
ATTORNEY and ATTORNEY GENERAL
OF THE COMMONWEALTH OF
PENNSYLVANIA,

Respondents

CIVIL NO. 1:00-CV-0775

(JUDGE KANE)

(MAGISTRATE JUDGE SMYSER)

FILED
HARRISBURG

OCT 04 2001

MARY E. D'ANDREA, CLERK
Per MS
DEPUTY CLERK

**RESPONDENT'S RESPONSE TO PETITIONER'S OBJECTIONS
TO REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE**

TO THE HONORABLE YVETTE KANE, UNITED STATES DISTRICT JUDGE:

The Office of Attorney General, on behalf of the respondent, makes the following response to the *habeas* petitioner's objections to the report and recommendation of the magistrate judge filed September 7, 2001:

The extensive, comprehensive, and detailed report and recommendation of Magistrate Smyser adequately and correctly deals with petitioner's claims in accordance with the legal decisions of the Supreme Court of the United States as those decisions pertain to federal *habeas* matters.

WHEREFORE, respondent respectfully requests this court to adopt the report and recommendation of Magistrate Smyser filed September 7, 2001.

Respectfully submitted,

A handwritten signature in dark ink, reading "Ronald T. Williamson". The signature is fluid and cursive, with a horizontal line drawn underneath it.

Ronald T. Williamson
Senior Deputy Attorney General
Attorney I.D. No. 22768

Office of Attorney General
Appeals and Legal Services Section
2490 Boulevard of the Generals
Norristown PA 19403
(610) 631-6554

Dated: October 1, 2001

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

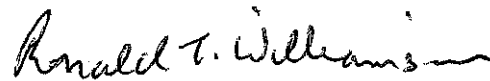
DALE ARNOLD,	:	
Petitioner	:	CIVIL NO. 1:00-CV-0775
	:	
v.	:	(JUDGE KANE)
	:	
FREDERICK FRANK,	:	(MAGISTRATE JUDGE SMYSER)
BRADFORD COUNTY DISTRICT	:	
ATTORNEY and ATTORNEY GENERAL	:	
OF THE COMMONWEALTH OF	:	
PENNSYLVANIA,	:	
Respondents	:	

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving one copy of the foregoing Respondent's Response to Petitioner's Objections to Report and Recommendation of The Magistrate Judge upon the persons and in the manner indicated below, which service satisfies the requirements of Pa.R.A.P. 121:

**Service by first class mail
addressed as follows:**

Daniel I. Siegel, Esquire
Assistant Federal Public Defender
100 Chestnut Street - Suite 306
Harrisburg PA 17101
Attorney ID #38910
(Counsel for Petitioner)



**Ronald T. Williamson
Senior Deputy Attorney General
Attorney I.D. No. 22768
(Counsel for Respondent)**

Office of Attorney General
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Dated: October 1, 2001